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EXAMINER				
TOPGYAL, GELEK W				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 3/22/2011 have been fully considered but they are not persuasive. In re pages 8-9, the applicants start a first argument that the Hirayama's "multi-story" does not meet the claimed "a story line including a plurality of distinct branches ... the plurality of the distinct branches leading to a respective plurality of diverged endings" as recited in independent claims. In supporting their argument, applicants point to Fig. 9A of Hirayama teaches a first story with program story bars 0, 1, 5 and 6, a second story with program story bars 0, 2, 3 and 6, etc.
2. In response, the examiner respectfully disagrees. As argued by the attorney, in the example discussed with reference to Fig. 9A, at least the program story bar of "0" is common to all the "multi-story" portions of Hirayama, so therefore, the stories are related. Hirayama's multi-story are not free standing stories in itself as they are related to one another, as clearly depicted with the common program story bar "0" being present in all the story lines. The three stories that follows each hero is part of the overall story. Furthermore, in response to the argument about having the same ending, the claim language merely recites "diverged" ending. It is not clearly stated in the claim when the story actually begins and when it actually end. Therefore, it is the position that if a reproduction ends after program bar #5 for story #1, after program #3 in story #2 and after program bar #4 in reproducing story #3, the endings are in fact different.
3. In re pages 9-11, the applicants argue that Lamkin and Lewis fails to teach branches of a "story line" and "branch indications identifying a branch of the plurality of

distinct branches of the content selected for playback" as recited in independent claims.

It is further argued that the examiner is guessing that the term "angle" in Lamkin are angles that are different perspective of the same scene.

4. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). It is clearly stated in the last office action, that Hirayama is needed to teach the claimed story line (col. 9, lines 15-31 teaches of story lines) including a plurality of distinct branches (col. 9, lines 15-31 teaches of at least 3 story lines) on a playback device (Fig. 1, "Apparatus"), the plurality of distinct branches leading to a respective plurality of diverged endings of the content story line (col. 9, lines 15-31 teaches of at least 3 story lines regarding three separate "heroes", in the example, the story (illustrated in Fig. 9A-D) has distinct story lines for each "hero", therefore the respective stories have different content and therefore endings. In teaching that the multi-scene stories are each recorded in separate camera angle storage areas (Fig. 3B)), allows for the incorporation of Lamkin into to the proposed combination. Therefore, the combined system results in a system where Lamkin's ability to bookmark and subsequently control playback using said bookmarks allows for the incorporation of Hirayama's multi story line having also been stored in "camera angle storage areas". Similarly, the "branch indications identifying a branch of the plurality of distinct branches" is not solely relied upon Lamkin. The present combination allows for the ability to set bookmarks (using

Lamkin) to create bookmarks set at specific story lines (from Hirayama). Thus, it is the position of the examiner that the combined proposed combination of Hirayama and Lamkin teaches the claimed limitations of the independent claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GELEK TOPGYAL whose telephone number is (571)272-8891. The examiner can normally be reached on 8:30am -5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter-Anthony Pappas can be reached on 571-272-7646. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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